

IPW



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gary W. Johnson et al.

Attorney Docket No. : IL-11198

Serial No. : 10/676,450

Art Unit: 2613

Filed : September 30, 2003

Examiner: A. Bello

For : Fade-Resistant Forward Error Correction Method  
For Free-Space Optical Communications Systems

PETITION UNDER 37 CFR 1.181

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a petition to the Director from the Examiner's holding of abandonment as indicated in the Notice of Abandonment mailed March 9, 2007.

REMARKS

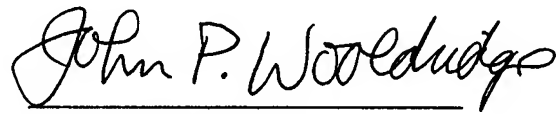
The Notice of Abandonment indicates that the application is abandoned in view of Applicant's failure to timely file a proper reply to the Office letter mailed August 25, 2006. However, a reply was filed with a Certificate of Mailing on February 26, 2007 with a Petition for a three (3) month extension. Six months from the Office letter mailed August 25, 2006 would expire on February 25, 2007, which was a Sunday, and therefore the reply could be timely filed on the following Monday. The reply was

filed on Monday, February 26, 2007, as shown by the attached Certificate of Mailing. I personally deposited the reply in the U.S. mail with a Certificate of Mailing and with sufficient first class postage on Monday, February 26, 2007. The PAIR system shows receipt of the reply and is date stamped by the OIPE on March 5, 2007 as shown on the attached copy of the returned postcard. The fee for the Petition for Extension was already deducted on March 6, 2007 from deposit account 501913. A copy of the Amendment, the Certificate of mailing and the returned postcard filed on 2-26-07 are attached. No fee should be required for entry of the 2-26-07 Amendment because the fee was already deducted.

Accordingly, the Examiner's holding of abandonment was improper. The Applicants respectfully request that the Examiner's holding of abandonment be withdrawn and the attached Amendment be entered.

If any impediments remain, please contact the undersigned at 808-875-0012.

Respectfully submitted,

A handwritten signature in black ink that reads "John P. Wooldridge". The signature is written in a cursive style with a horizontal line underneath the name.

John P. Wooldridge  
Attorney for Applicant  
Registration No. 38,725

Dated: May 9, 2007



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FEE AUTHORIZATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

No fee should be required for the attached Petition or any previously filed documents; however, if a fee is deemed to be required, the Commissioner is hereby authorized to charge any required fee to Deposit Account Number 501913.

If any impediments remain, please contact the undersigned at 808-875-0012.

Respectfully submitted,

John P. Wooldridge  
Attorney for Applicant  
Registration No. 38,725

Dated: May 9, 2007